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REMARKS

The final Office Action dated 28 July 2003 and the Advisory Action dated 31 October 2003 have been reviewed. Applicant thanks the Examiner for allowing claims 3, 4 and 13-18. Claims 1 and 19 have been amended, and claims 2-18 remain as original or as previously presented. Claims 1-19 are pending, of which claims 1, 2, 5-12 and 19 are respectfully submitted for reconsideration by the Examiner.

Claims 1, 2, 5-9 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,399,836 to de Versterre et al. ("de Versterre"). Claims 10-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over de Versterre. These rejections are respectfully traversed in view of the above amendments and the following remarks.

Claim 1 recites a combination of features that includes "at least two closure members" and "at least two actuators, one of the at least two actuators coupled contiguously to one of the at least two closure members, the other of the at least two actuators coupled contiguously to the other of the at least two closure members." Similarly, claim 19 recites a combination of features that includes "first and second closure members" and "first and second actuators being respectively coupled contiguously to the first and second closure members." Support for these features is provided at, for example, paragraphs 0010 and 0016, of Applicant's originally filed specification, as well as Applicant's Figure 1.

In contrast, de Versterre shows and states (*see* column 2, lines 3-8) that a unitary valve-positioning actuator module has a mounting face that is adapted for removable assembly in register to the mounting face of a valve-body module that has an exposed valve stem. Accordingly, as shown in de Versterre's Figure 2 (*see also* column 3, lines 41-45), the reduced upper end of the stem 31 of the valve member 32 projects upward, above the plane of surface 18, for co-action with module 10. As shown in de Versterre's Figure 4 (*see also* column 4, lines 33-44), actuator module 10 is fully self-contained within housing 50, and includes bore 52 to accommodate electromagnetic drive components having registered abutment at 55 with the projecting end 31 of the valve stem when modules 10-11 are assembled. Thus, whereas in the instant invention the actuators are contiguously coupled to respective closure members, de Versterre shows actuators merely abutting respective closure members.

Accordingly, Applicant respectfully submits that de Versterre does not teach every element of independent claims 1 and 19.

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Moreover, it is respectfully submitted that modifying the system of de Versterre to contiguously couple the electromagnetic drive components with the projecting end 31 of the valve stem would render de Versterre unsatisfactory for its intended purpose. As de Versterre states at column 1, lines 55-58, it is a specific object to provide an actuator module that is detachably related to a valve-body module that contains the valve member. As discussed in M.P.E.P. § 2143.01, "[i]f the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984)." Accordingly, de Versterre does not suggest, and in fact teaches against, actuators that are contiguously coupled to respective closure members, as recited in Applicant's independent claims 1 and 19.

Claims 2 and 5-12 ultimately depend from claim 1, and recite the same combination of allowable features recited in claim 1, as well as additional features that further distinguish over the prior art.

At least for the above-described reasons, Applicant respectfully requests that all rejections by de Versterre be withdrawn and that claims 1, 2, 5-12 and 19 also be allowed.

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CONCLUSION

Applicant respectfully requests that the Examiner enter this Amendment under 37 C.F.R. § 1.116, thereby placing all pending claims in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicant's undersigned representative to expedite the prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,
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